

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 07-2945

John E. Gallus; Alexandria Ione Faller, also known as Alexandria Ione Griffin; Diana J. Anderson, for the use and benefit of the RiverSource Balanced Fund, formerly known as AXP Mutual Fund; RiverSource Precious Metals Fund, formerly known as AXP Precious Metals Fund; RiverSource Mid Cap Growth Fund, formerly known as AXP Equity Select Fund; RiverSource Small Cap Advantage Fund, formerly known as AXP Small Cap Advantage Fund; RiverSource Small Cap Value Fund, formerly known as AXP Partners Small Cap Value Fund; RiverSource Mid Cap Value Fund, formerly known as AXP Mid Cap Value Fund; RiverSource Small Company Index Fund, formerly known as AXP Small Company Index Fund; RiverSource High Yield Bond Fund, formerly known as AXP High Yield Bond Fund; RiverSource Large Cap Equity Fund, formerly known as AXP Large Cap Equity Fund, Successor by merger to RiverSource New Dimensions Fund and AXP Blue Chip Advantage Fund,

Plaintiffs - Appellants

v.

Ameriprise Financial, Inc., formerly known as American Express Financial Corporation; RiverSource Investments, LLC; Ameriprise Financial Services, Inc., formerly known as American Express Financial Advisors, Inc.,

Defendants - Appellees

Appeal from U.S. District Court for the District of Minnesota - Minneapolis
(0:04-cv-04498-DWF)

JUDGMENT

Following our decision in this case, Gallus v. Ameriprise Financial, Inc., 561 F.3d 816 (8th Cir. 2009), the United States Supreme Court granted a writ of certiorari, vacated our judgment, and remanded the case to us for further consideration in light of Jones v. Harris, 130 S.Ct. 1418 (2010). See Ameriprise Financial, Inc. v. Gallus, 2010 WL 1265857.

We likewise remand the case to the district court for further consideration in light of Jones v. Harris.

June 04, 2010

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans